

# MAYOR AND COUNCIL - REGULAR MEETING

## ADMINISTRATIVE ACTION REPORT AND SUMMARY DECEMBER 13, 2005

FROM: CITY MANAGER \_\_\_\_\_

1. ROLL CALL: 5:36 P.M.

COUNCIL MEMBERS PRESENT: Mayor Robert E. Walkup, Vice-Mayor Steve Leal, Council Members Jose J. Ibarra, Carol West, Karin Uhlich, Shirley Scott, and Nina J. Trasoff, Kathleen S. Detrick, City Clerk

STAFF MEMBERS: Mike Hein, City Manager  
Mike Letcher, Deputy City Manager  
Mike Rankin, City Attorney

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Kathleen S. Detrick, City Clerk, after which the Pledge of Allegiance was led by Brownie and Junior Girl Scout Troop 390.

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS – DEC13-05-660</p> <p>The City Clerk announced that Christina Romero is in attendance to provide Spanish translation assistance for anyone who needs it.</p> <p>Council Member Trasoff announced that there have been some double bookings at the Ward VI conference room and requested that those with upcoming bookings please call Ward VI to confirm.</p> <p>Council Member Trasoff announced that on December 21<sup>st</sup> and 22<sup>nd</sup> there will be Downtown Farmer's Market Arts &amp; Crafts Mercado on the South Lawn of the Main Library.</p>	

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT  
EVENTS DEC13-05-661

City Manager Mike Hein announced that last week Council Member Scott was elected to the National Board of Directors on the National League of Cities and Towns.

5. LIQUOR LICENSE APPLICATIONS – DEC13-05-659

CAFFE MILANO, CITY # 101-05  
WILD NOODLES, CITY # 99-05  
CASA SUPPORT COUNCIL FOR PIMA CO., CITY # T112-05  
TRADER JOE’S, CITY # AC14-05  
TRADER JOE’S, CITY # AC15-05  
TRADER JOE’S, CITY # AC16-05  
GUILIN RESTAURANT, CITY # AC18-05  
SZECHUAN OMEI RESTAURANT, CITY # AC20-05

Council Member Scott MOVED, SECONDED by Council Member West to direct staff to forward these applications to the State Liquor Board with recommendations for approval.

Motion PASSED by a vote of 7 to 0.

CITY CLERK

6. C O N S E N T   A G E N D A

\*\*\*\*\*ITEM “J” WAS DELETED FROM THE CONSENT  
AGENDA \*\*\*\*\*

A. ECONOMIC DEVELOPMENT: EXTENSION OF  
FINANCIAL INCENTIVES FOR DEVELOPMENT IN  
THE DOWNTOWN CORE – DEC13-05-657

RESOLUTION NO. 20236

CITY MANAGER

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>B. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR THE COMMUNITY SERVICES TENANT SAFETY NET PROGRAM – DEC13-05-662</p> <p>RESOLUTION NO. 20237</p>	<p><u>DIR. OF COMMUNITY SERVICES</u></p>
<p>C. REAL PROPERTY: RIGHT-OF-WAY ACQUISITION – ALVERNON WAY AND PIMA STREET FOR BUS SHELTER UPGRADES – DEC13-05-663</p> <p>RESOLUTION NO. 20238</p>	<p><u>DIR. OF FINANCE</u></p>
<p>D. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY REGARDING THE RIO VISTA NATURAL RESOURCE PARK – DEC13-05-664</p> <p>RESOLUTION NO. 20239</p>	<p><u>DIR. OF PARKS AND RECREATION</u></p>
<p>E. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY REGARDING THE EASTSIDE SPORTS COMPLEX AND SENIOR CENTER – DEC13-05-665</p> <p>RESOLUTION NO. 20240</p>	<p><u>DIR. OF PARKS AND RECREATION</u></p>
<p>F. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY REGARDING THE SOUTHEAST COMMUNITY PARK – DEC13-05-666</p> <p>RESOLUTION NO. 20241</p>	<p><u>DIR. OF PARKS AND RECREATION</u></p>
<p>G. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY REGARDING THE HOUGHTON GREENWAY – DEC13-05-667</p> <p>RESOLUTION NO. 20242</p>	<p><u>DIR. OF PARKS AND RECREATION</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

<p>H. ANNEXATION: MELPOMENE/22<sup>ND</sup> STREET ANNEXATION DISTRICT, ORDINANCE ADOPTION – DEC13-05-669</p> <p>ORDINANCE NO. 10222</p>	<p><u>DIR. OF URBAN PLANNING &amp; DESIGN</u></p>
<p>I. APPROVAL OF MINUTES – DEC13-05-656</p>	<p><u>CITY CLERK</u></p>
<p>K. FRANCHISE AGREEMENT: FIRST AMENDMENT TO THE GAS DISTRIBUTION AND TRANSPORTATION FRANCHISE AGREEMENT WITH SOUTHWEST GAS – DEC13-05-679</p> <p>ORDINANCE NO. 10228</p>	<p><u>DIR. OF FINANCE</u></p>
<p>Vice Mayor Leal MOVED, SECONDED by Council Member Scott that items on the Consent Agenda (Except “J”) be approved and/or adopted and proper action taken.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	
<p>J. REAL PROPERTY: ACQUISITION OF REAL PROPERTY LOCATED AT 945 EAST OHIO STREET – DEC13-05-674</p> <p>RESOLUTION NO. 20247</p> <p>This item was continued to the meeting of December 20, 2005 at the request of staff.</p>	<p><u>DIR. OF FINANCE</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>7. CALL TO THE AUDIENCE</p> <p>Rob Blizzard commented that since the new barricade ordinance went into effect, as a disabled person he is finding it a challenge to get around as the barricades often block access to sidewalks. He requested that the City Council revisit the ordinance to determine how it is working, or not working, and to talk to the community about the issues.</p> <p>Michael Toney commented that he has delivered paperwork to the City Clerk and Council Member Uhlich's office about the alleged violations of the University of Arizona regarding the Science Center. He also voiced his support for the idea of tunneling I-10.</p> <p>Janet Woodville spoke in support of the HOPE VI Martin Luther King (MLK) project and would like it to move forward. She indicated that as MLK residents will already be displaced for 2 years while the project is built, the City Council should not wait any longer to approve the agreement.</p> <p>Raymond Sidoma also spoke in support of the HOPE VI Martin Luther King (MLK) project, and as a resident of MLK he does not want to see this project delayed and jeopardize the federal funding secured for this project.</p> <p>Dennis Ambroz spoke about the HOPE VI Martin Luther King (MLK) project, and brought the letter he had written to the Mayor and Council with the signatures of the MLK residents to their attention. He requests that the Mayor and Council move forward with the project, as any delay will jeopardize not only the current funding, but any future HOPE VI funding the City may apply for.</p>	
<p>8. PUBLIC HEARING: ZONING (C9-02-32) A-C INVESTMENTS – AJO WAY, R-1/R-2/I-1 TO I-1, CHANGE OF PRELIMINARY DEVELOPMENT PLAN (CONTINUED FROM THE MEETING OF NOVEMBER 1, 2005) – DEC13-05-675</p> <p>Council Member West MOVED, SECONDED by Council Member Leal to continue this public hearing to the December 20<sup>th</sup> meeting at the request of staff.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	<p><u>DIR. OF DEVELOPMENT SERVICES</u></p>

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

9. PUBLIC HEARING: GRANT-ALVERNON AREA PLAN AMENDMENT – PERRY HEATING AND COOLING – COMMERCIAL USES – DEC13-05-676

RESOLUTION NO. 20246

Council Member Trasoff MOVED, SECONDED by Council Member Scott to close the Public Hearing.

Motion PASSED by a vote of 7 to 0.

Council Member Trasoff MOVED, SECONDED by Council Member Uhlich to deny the proposed amendment to the Grant-Alvernon Area Plan as recommended by staff.

Motion PASSED by a vote of 7 to 0.

DIR. OF URBAN  
PLANNING & DESIGN

10. PUBLIC HEARING: TUCSON CODE – AMENDING (CHAPTER 23), THE LAND USE CODE; REGARDING BOTTLING PLANTS AND PERISHABLE GOODS MANUFACTURING – DEC13-05-668

ORDINANCE NO. 10225

Vice Mayor Leal MOVED, SECONDED by Council Member Scott to close the public hearing.

Motion PASSED by a vote of 7 to 0.

Vice Mayor Leal MOVED, SECONDED by Council Member Scott to pass and adopt Ordinance No. 10225.

Motion PASSED by a vote of 7 to 0.

DIR. OF URBAN  
PLANNING & DESIGN

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

11. ZONING: (C9-05-11) SHULTE – SPEEDWAY BOULEVARD SR TO O-3, ORDINANCE ADOPTION – DEC13-05-677

ORDINANCE NO.10227

Council Member West MOVED, SECONDED by Council Member Scott to pass and adopt Ordinance No. 10227.

Motion PASSED by a vote of 7 to 0.

DIR. OF DEVELOPMENT SERVICES

12. REAL PROPERTY: DEVELOPMENT AGREEMENT WITH CONGRESS STREET REDEVELOPMENT, LLC FOR THE DEPOT PLAZA DEVELOPMENT PROJECT – DEC13-05-673

RESOLUTION NO. 20245

Council Member Trasoff MOVED, SECONDED by Council Member West to pass and adopt Resolution No. 20245.

Motion PASSED by a vote of 7 to 0.

Council Member Trasoff offered a two-part motion, SECONDED by Council Member West:

- The first part directs City staff to maintain no less than 250 daytime and 275 evening public parking spaces within 600-foot radius of the northeast corner of 5th and Congress at the east end of the Congress District. These spaces will be on the street, on the current Greyhound Bus Depot site and at the Historic Depot. The City will maintain the availability of these spaces until such time as the parking garage described in the second part of the motion is built. The 600-foot radius only runs south and west of the railroad tracks and includes Broadway on the south side but no parking spaces south of Broadway, and extends to the west side of 6th Avenue.

DIR. OF COMMUNITY SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>12. REAL PROPERTY: DEVELOPMENT AGREEMENT WITH CONGRESS STREET REDEVELOPMENT, LLC FOR THE DEPOT PLAZA DEVELOPMENT PROJECT – DEC13-05-673 (Continued from previous page)</p> <ul style="list-style-type: none"><li>• The second part of the motion is that within the next five years, with the five years to commence in January 2006, the City will ensure a minimum of 350 spaces for the East End of Congress. A parking garage will be built within 600 feet of the Northeast corner of 5<sup>th</sup> and Congress, with the same boundaries as described above. This direction is satisfied if an entity other than the City builds this parking capacity within the same geographic area. The public parking would be dedicated to monthly and hourly public parking for all East End of Congress Businesses.</li></ul>	
<p>RECESS: 6:43 p.m. RECONVENE: 6:43 p.m. MAYOR AND COUNCIL: ALL PRESENT STAFF: ALL PRESENT</p>	
<p>12. REAL PROPERTY: DEVELOPMENT AGREEMENT WITH CONGRESS STREET REDEVELOPMENT, LLC FOR THE DEPOT PLAZA DEVELOPMENT PROJECT – DEC13-05-673</p> <p>Council Member Trasoff further moved, SECONDED by West that the letters between Richard Oseran and Assistant City Manager Karen Thoreson dated December 9, 2005 and December 13, 2005, together with their attachments, be accepted into the record to reflect their correspondence regarding other related concerns raised by Mr. Oseran.</p> <p>Motion PASSED by a vote of 7 to 0.</p>	



AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

13. REAL PROPERTY: DEVELOPMENT AGREEMENT WITH PATHWAY HOLDINGS, LLC FOR THE SILVERBELL RESIDENTIAL SUBDIVISION – DEC13-05-672

RESOLUTION NO. 20243

Council Member Ibarra MOVED, SECONDED by Council Member West to pass and adopt Resolution No. 20243.

Motion PASSED by a vote of 7 to 0.

DIR. OF COMMUNITY SERVICES

14. INTERGOVERNMENTAL AGREEMENT: WITH THE ARIZONA BOARD OF REGENTS REGARDING THE HOPE VI MARTIN LUTHER KING REVITALIZATION PLAN – DEC13-05-671

RESOLUTION NO. 20244

Council Member Trasoff MOVED, SECONDED by Council Member Scott to pass and adopt Resolution No. 20244.

Motion PASSED by a vote of 7 to 0.

DIR. OF COMMUNITY SERVICES

15. INTERGOVERNMENTAL AGREEMENT: WITH THE ARIZONA BOARD OF REGENTS REGARDING A PREVENTIVE HEALTH MAINTENANCE PROGRAM FOR THE RESIDENTS OF THE MARTIN LUTHER KING APARTMENT – DEC13-05-678

RESOLUTION NO. 20248

Council Member West MOVED, SECONDED by Council Member Scott to pass and adopt Resolution No. 20248.

Motion PASSED by a vote of 7 to 0.

DIR. OF COMMUNITY SERVICES

AGENDA ITEM /MAYOR AND COUNCIL ACTION

STAFF ACTION

16. REAL PROPERTY: VACATION OF RIGHTS-OF-WAY FOR THE DEPOT PLAZA DEVELOPMENT PROJECT – DEC13-05-670

ORDINANCE NO. 10226

Council Member Trasoff MOVED, SECONDED by Council Member West to pass and adopt Ordinance No. 10226.

Motion PASSED by a vote of 7 to 0.

DIR. OF FINANCE

17. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS – DEC13-05-658

Council Member Trasoff MOVED, SECONDED by Council Member West to approve the appointment of Father Frederick Tillotson to the Pima County/City of Tucson Commission on Addiction, Prevention and Treatment.

Motion PASSED by a vote of 7 to 0.

Council Member West announced her personal appointments of Andee Leisner to the Minority Women Business Enterprise Commission and Robert Kattnig to the Tucson Rodeo Grounds/Parade Citizen's Oversight Committee.

18. ADJOURNMENT: 7:00 p.m.

The next regularly scheduled meeting of the Mayor and Council will be held on Tuesday, December 20, 2005, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.